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MAY 20 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**JUDGE CONLON**

UNITED STATES OF AMERICA)

vs.)

TOMMIE LEE AKINS,
also known as "Tommie Harris")No. **08CR 400**Violation: Title 18, United States
Code, Section 1341**COUNT ONE****MAGISTRATE JUDGE NOLAN**

The SPECIAL FEBRUARY 2008-1 GRAND JURY charges:

1. At times material to this indictment:

a. The Social Security Administration ("SSA") was an agency of the United States, as defined in Title 18, United States Code, Section 6, that administered the payment of benefits from the United States of America to individuals who qualified for such benefits under various programs, including the Old Age Survivors and Disability Insurance ("OASDI") program and the Supplemental Security Income ("SSI") program.

b. The OASDI program provided monthly cash benefits to retired individuals who had worked for and were insured under the Social Security Act, based on contributions from their earnings. One category of benefits authorized under the OASDI program were disability benefits. An individual was considered to be disabled only if he or she could not engage in substantial gainful activity by reason of any medically determinable physical or mental impairment that was expected to result in death or last for a continuous period of not less than 12 months.

c. The SSI program provided monthly cash benefits to disabled individuals who met certain financial eligibility requirements. Among other requirements, to be eligible for benefits, individuals were required to have resources and income below certain levels described in the Social

Security Act and applicable regulations.

d. An individual who received OASDI benefits might not qualify for SSI benefits due to the income received through the monthly OASDI benefits.

e. Individuals seeking SSI benefits from the SSA were required to submit accurate, truthful, and current information regarding their identity, income, and assets.

2. In or around April 1960, the SSA issued Social Security Number XXX-XX-5752 to defendant TOMMIE LEE AKINS in the name "Tommie Lee Akins."

3. In or around August 1967, the SSA issued Social Security Number XXX-XX-0179 to AKINS in the alias name "Tommie L. Harris Jr."

4. On or about June 16, 1983, AKINS, using the name "Tommie Lee Akins" and Social Security Number XXX-XX-5752, applied for OASDI disability benefits based on "obesity, high blood pressure, chest pain." AKINS began receiving monthly OASDI disability benefits in or around November 1984. Beginning no later than in or around October 1997, AKINS directed SSA to deposit the monthly OASDI disability benefits directly into a bank account in AKINS's name in Chicago, Illinois.

5. Beginning in or around March 1989, and continuing to in or around August 2007, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

TOMMIE LEE AKINS,
also known as "Tommie Harris,"

defendant herein, knowingly devised, intended to devise, and participated in a scheme to defraud the SSA and to obtain money by means of materially false and fraudulent pretenses, representations, and material omissions, which scheme is further described in the following paragraphs:

6. It was part of the scheme that on or about March 16, 1989, AKINS, using the alias "Tommie Harris" and Social Security Number XXX-XX-0179, applied for SSI benefits based on the alleged disability of a "vision" impairment. AKINS used the alias "Tommie Harris" and falsely verified when applying for SSI benefits that he had no income and no cash because, as AKINS well knew, AKINS was receiving monthly OASDI disability checks and he would not have qualified for SSI benefits as a result had AKINS applied for SSI using his real name and Social Security Number XXX-XX-5752. AKINS began receiving SSI benefits in or around December 1989 retroactive to in or around September 1989.

7. It was further part of the scheme that AKINS, using the alias "Tommie Harris," directed SSA to mail the monthly SSI checks in the name of "Tommie Harris" to 917 West Eastwood, Chicago, Illinois.

8. It was further part of the scheme that, in or around July 2002, an individual ("Individual A") associated with AKINS rented Post Office Box 408304, Chicago, Illinois 60640 with a listed residence address of 917 W. Eastwood, Bldg. 502, Chicago, Illinois. The rental record for Post Office Box 408304 listed "Tommie Akins" and "Tommie Harris" as persons authorized to receive mail.

9. It was further part of the scheme that in or around August 2002, AKINS, using the name "Tommie Harris," directed SSA to mail the monthly SSI checks in the name of "Tommie Harris" to P.O. Box 408304, Chicago, Illinois 60640.

10. It was further part of the scheme that, beginning no later than in or around July 2000, AKINS, using the name "Tommie Harris," cashed the monthly SSI checks at the Wilson Broadway Currency Exchange in Chicago, Illinois. AKINS cashed the monthly SSI checks at the currency

exchange in order to conceal from SSA the existence of any bank account in the name "Tommie Lee Akins."

11. It was further part of the scheme that on or about August 18, 2004, AKINS, using the name "Tommie Harris," executed a "Statement for Determining Continuing Eligibility for SSI Payments" in which AKINS falsely represented his identity as "Tommie Harris" and that he had no other money, when, as AKINS well knew, "Tommie Harris" was an alias and that he was receiving OASI benefits under his real name. AKINS made these misrepresentations in order to continue to receive SSI benefits under the alias "Tommie Harris" to which AKINS knew he was not entitled to receive under his real name.

12. It was further part of the scheme that, from in or around March 1989 and continuing to in or around August 2007, AKINS, using the alias "Tommie Harris," intended to and did cause the United States government, through the SSA, to suffer losses in the form of monthly SSI benefits in the amount of approximately \$106,952.54, to which AKINS knew he was not entitled.

13. It was further part of the scheme that AKINS concealed, misrepresented and hid, and caused to be concealed, misrepresented and hidden, the existence and purpose of the scheme and the acts done in furtherance of the scheme.

14. On or about February 1, 2007, at Chicago, in the Northern District of Illinois, Eastern Division,

TOMMIE LEE AKINS,
also known as "Tommie Harris,"

defendant herein, for the purpose of executing and attempting to execute the scheme described above, knowingly did cause a matter to be delivered by mail according to the direction thereon,

namely, an envelope containing an SSI check in the amount of approximately \$623.00 payable to "Tommie Harris," that envelope being addressed to "Tommie Harris" at Post Office Box 408304, Chicago, Illinois;

In violation of Title 18, United States Code, Section 1341.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY